

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, February 21, 2008, the following members were present:

Greg Jergeson, Chairman  
Doug Mood, Vice Chairman  
Brad Molnar, Commissioner, via telephone  
Robert H. Raney, Commissioner  
Ken Toole, Commissioner

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(57) In the matter of T-07.48.ST-On November 14, 2007 the executor of the estate of Dorothy M. Horne filed an application to transfer PSC No. 2015 from Dorothy M. Horne dba Capital Transfer & Storage, Helena, Montana to Capital Transfer & Storage LLC, Helena, Montana.

Commissioner Toole moved to approve the transfer of PSC No. 2015 as applied for. Commissioner Raney seconded the motion, which passed unanimously.

(58) In the matter of the approval of Commission Minutes for the week of February 11, 2008;

Commissioner Toole moved to approve the Commission Minutes for the week of February 11, 2008. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator  
Utility Division

(59) In the matter of the Commission's discussion of D2006.10.143-Qwest Customer Complainants;

Commissioner Raney moved to suspend the procedural order in D2006.10.143. Commissioner Jergeson seconded the motion, which passed 4-0. Commissioner Toole was recused.

APPEARANCE

Justin Kraske, Legal Division

(60) In the matter of the Commission's discussion of D2007.2.18- Chinook Wireless application for designation as an ETC;

Commissioner Raney moved to grant Chinook's Motion to Strike. The three sets of statements and footnotes involving extra record evidence should be stricken, from MTA's brief as permitted by ARM 38.2.4207 and MCA 2-4-612, Sub 2 in D2007.2.18. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Legal Division

(61) In the matter of the Commission's discussion of CELP v. NWE and PSC-Judicial Review, etc., of PSC Order Nos. 6501f and 6501g, 16<sup>th</sup> Judicial District, Rosebud County;

Commissioner Raney moved to approve the retention of legal counsel from Risk Management and Tort Defense Division of the Department of Administration to assist, as necessary, in the defense of Colstrip Energy Limited Partnership v. Montana Public Service Commission and NorthWestern Corporation, Cause No. DV 07-57, 16<sup>th</sup> Judicial District Court, Rosebud County. Commissioner Mood seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GREG JERGESON, Chairman

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DOUG MOOD, Vice Chairman

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BRAD MOLNAR, Commissioner

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ROBERT H. RANEY, Commissioner

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KEN TOOLE, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)